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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/700,836	11/17/2000	Takashi Kawaguchi	9319-000169	3481

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EPSON RESEARCH AND DEVELOPMENT INC
INTELLECTUAL PROPERTY DEPT
150 RIVER OAKS PARKWAY, SUITE 225
SAN JOSE, CA 95134

EXAMINER

GOODWIN, JEANNE M

ART UNIT PAPER NUMBER

2841

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/700,836

Applicant(s)

KAWAGUCHI ET AL.

Examiner

Jeanne-Marguerite Goodwin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 10-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "temperature measuring unit", the "detecting unit" and the "examining unit" as stated in claim 1 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the temperature measuring unit, the detection unit and the examining unit as stated in claim 1.

Claim Objections

3. Claim 1 is objected to because of the following informalities: In claim 1, line 12: "the outside" lacks antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-7 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,522,601 to Sakuyama [hereinafter Sakuyama].

Sakuyama discloses a data transmission/reception system for an electronic timepiece (1) comprising an oscillator circuit (11) which employs a quartz oscillator to generate reference signals, a frequency dividing circuit (12) which outputs a 1-Hz signal and a frequency-divided signal (S1) upon inputting an oscillation signal from the oscillation circuit (11), a drive signal generating circuit (13) which accepts the 1-Hz signal from the frequency dividing circuit (12) and outputs to a converter driving circuit, i.e., to a hand driving circuit (14), a motor drive pulse (PM) as a timing signal for driving the hands, a hand driving coil (15a) working as a transmission/reception coil for transmitting and receiving data to and from a data transmission/reception device (2), a control signal generating/examining circuit (16) wherein outputs may control signals, such as reception possible signal (S2) and the like, to place the hand

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driving circuit (14) in the receiving state, a gate circuit (17) which inhibits or permits the passage of a reception signal (S12) received from the converter coil (15a) depending upon a detect permit signal (S3) output from the control signal generating/examining circuit (16), a pace adjust signal detecting circuit (18) which converts the reception signal that has passed through the gate circuit (17) into a pace adjust signal (S4), a shift register which stores the pace adjust signal (S4) from the pace adjust signal detecting circuit (18) in response to a data shift signal (S5) output from the control signal generating/examining circuit (16), and outputs a data signal (D1) and a data signal (D2), a pace adjusting amount storage circuit (22) constituted by a nonvolatile memory or the like, wherein a pace data (D3) is fed from the pace adjusting amount storage circuit (22) to the frequency dividing circuit (12). Furthermore, the transmission/reception means (15a) transmits a first data signal (S40) to said data transmission/reception device (2), and receives said second data signal (S41) from said data transmission/reception device (2), wherein the second signal includes an adjustment signal corresponding to adjustment data (see column 7, lines 28-60). Moreover, in the electronic timepiece (1), the reception possible signal (S2) output from the control signal generating circuit (16) changes the hand driving circuit (14) over to the receiving state, whereby a transmission signal (S28) constituted by a data signal (D7) and a data signal (D6) transmitted from the data transmission/reception device (2) is received by the hand driving coil (15a) as a reception signal (S12). Sakuyama discloses, in columns 1-2, lines 65-67 and lines 1-8, respectively, that pace adjustment is just one of numerous adjustment procedures, e.g., pace adjustment with respect to temperature, that can be carried out. Therefore, if the transmission/reception system wanted to deal with the adjustment of temperature, then a temperature measuring unit would inherently be added to the electronic timepiece.

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Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakuyama in view of US Patent 4,473,303 to Suzuki [hereinafter Suzuki].

Sakuyama discloses a device as stated above in regards to claims 1-7 and 9. Sakuyama discloses all claimed subject matter with exception of the limitation stated in claim 8, i.e., the temperature unit having a temperature-sensing oscillation signal whose frequency varies in accordance with the internal temperature of the apparatus.

With respect to the limitation stated in claim 8: Suzuki discloses an electronic timepiece provided with temperature compensation comprising a temperature measuring circuit (5) provided with a temperature sensible oscillator of a temperature compensating circuit in order to provide precise control of the quartz crystal oscillator circuit with respect to the internal temperature compensation component. Therefore, it would have been obvious to add the temperature sensible oscillator, as taught by Suzuki, to the inherent temperature measuring unit of Sakuyama, in order to provide precise control of the quartz crystal oscillator circuit with respect to the internal temperature compensation component, as already suggested by Suzuki.

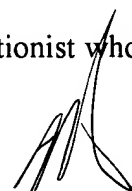
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

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disclosure. The prior art cited in the PTO-892 disclose related devices. Moriya '247, '771, Pucci et al. '436, Fujisawa et al. '157, Kamiya '061, Hashimoto et al. '650 and RE. 31,402 disclose circuits for temperature compensation in a watch.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Jeanne-Marguerite Goodwin whose telephone number is (703) 305-0264. The examiner can normally be reached on Monday-Friday (9am-6pm), alternate Fridays off. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



JMG
Dec. 1, 2003

DAVID MARTIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800